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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,576	06/07/2001	Kazuho Oku	13280-002001	1398

26161 7590 07/05/2005

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EXAMINER

BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/876,576

Applicant(s)

OKU, KAZUHO

Examiner

Alina N Boutah

Art Unit

2143

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10, 11, 13-21, 23-36, 38, 42 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10, 11, 13-21, 23-36, 38, 42 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Art Unit: 2143

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment filed March 30, 2005. Claims 1-9, 12, 22 and 44-46 have been cancelled. Claims 10, 11, 13-21, 23-36, 38, 42 and 43 are pending in the present application.

Specification

A new title that is clearly indicative of the invention to which the claims are directed is provided in the amendment, therefore the objection is withdrawn.

Claim Rejections - 35 USC § 112

The 35 U.S.C. 112 rejections of claims 10 and 22 are withdrawn due to applicant's amendment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2143

Claims 10, 11, 13-21, 23-36, 38, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,185,625 issued to Tso et al. (hereinafter Tso) in view of USPN 6,594,682 issued to Peterson et al. (hereinafter Peterson).

(Amended) Regarding claim 10, Tso teaches a data server, to which a portable terminal is connected via a network for receiving contents from a plurality of web servers that respectively provide the contents, comprising:

an image compressor for receiving the contents from the web servers and reducing sizes or number of colors of images according to standards of the portable terminal (abstract; figures 3 and 7; col. 2, line 49 to col. 3, line 12); and

a proxy unit for monitoring the contents transmitted by the portable terminal or the web server, and when the contents transmitted by the web servers include image information, calling the image compressor (abstract; figures 3 and 7; col. 2, line 49 to col. 3, line 12).

However, Tso fails to explicitly teach a channel generator for gathering a plurality of contents having a predetermined subject, provided by the web servers, and binding the contents into a single channel. Peterson teaches channeling unit for gathering a plurality of contents of a predetermined subject provided by a plurality of web servers and binding them into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Art Unit: 2143

Regarding claim 11, Tso teaches the data server of claim 10, further comprising a filter for filtering information that is inappropriate or not necessary for the portable terminal, from among the contents transmitted by the web servers (col. 16, lines 20-30).

Regarding claim 13, Tso teaches the data server of claim 10, wherein the channel generator inserts advertisement contents into the contents of the predetermined subject and channels them (col. 19, lines 58-59).

Regarding claim 14, Tso teaches the data server of claim 10, wherein the web servers provide the contents to the data server via the network (figure 1).

Regarding claim 15, Tso fails to explicitly teach the data server of claim 10, wherein the proxy unit checks whether a uniform resource locator (URL) input by the portable terminal is a channel URL that is of a set of URLs of a plurality of the web servers that provide the contents of a predetermined subject, and when the URL input by the portable terminal is a channel URL, the proxy unit calls the channel generator. Peterson teaches calling the channel generator when the URL input by the terminal is a channel URL (abstract; figures 7-9). At the time the invention was made, one of ordinary skill in the art would have been motivated to call the channel generator when the URL input is a channel URL in order to allow user to access the desired content.

Art Unit: 2143

Regarding claim 16, Tso fails to explicitly teach the data server of claim 15, wherein the portable terminal includes a plurality of channel icons that respectively have channel URL information of a predetermined subject, and wherein a user sets a channel icon of the portable terminal and inputs the channel URLs. Peterson teaches the portable terminal including a plurality of channel icons that respectively have channel URL information of a predetermined subject, and wherein a user sets a channel icon of the portable terminal and inputs the channel URLs (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to enable the terminal to include a plurality of channel icons that respectively have channel URL information of a predetermined subject in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Regarding claim 17, Tso fails to teach the data server of claim 16, wherein the channel icon of the portable terminal is downloaded from the data server. Peterson teaches downloading the channel icon from the data server (figures 5 and 6). At the time the invention was made, one of ordinary skill in the art would have been motivated to download the channel icon from the data server in order to allow user to access the desired content

Regarding claim 18, Tso fails to explicitly teach the data server of claim 16, wherein the portable terminal comprises a program for making or editing the channel icon. Peterson teaches a program for making or editing the channel icon (col. 3, lines 54-60). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a program for

Art Unit: 2143

making or editing the channel icon in order to allow to order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Regarding claim 19, Tso fails to explicitly teach the data server of claim 16, wherein the portable terminal receives the channel icon via a computer, the channel icon being made or edited by the user using the computer that includes the program for making or editing the channel icon. Peterson teaches the portable terminal receiving the channel icon via a computer, the channel icon being made or edited by the user using the computer that includes the program for making or editing the channel icon (col. 3, lines 54-60). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a program for making or editing the channel icon in order to allow to order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

(Amended) Regarding claim 20, Tso teaches in a service method of a network service system having a data server, to which a portable terminal is connected via the network for receiving contents from a plurality of web servers that provide the contents, a network service method comprising:

requesting, when a uniform resource locator (URL) of a web server that provides the contents is input via the portable terminal, the contents from the web server corresponding to the input URL (figures 3 and 8; abstract)

Art Unit: 2143

reducing sizes or number of colors of the images of the contents transmitted by the web server and compressing the images according to standards of the portable terminal so as to convert the contents (abstract; figures 3 and 7; col. 2, line 49 to col. 3, line 12); and

transmitting the converted contents to the portable terminal via the network (abstract and col. 2, line 49 to col. 3, line 12).

However, Tso fails to explicitly teach wherein the service method further comprises checking whether the URL input by the portable terminal is a channel URL that is of a set of URLs of a plurality of web servers that provide contents of a predetermined subject; and gathering, when the URL is of the channel URLs, the contents of the predetermined subject transmitted by the web servers and binding the contents into a single channel.

Peterson teaches wherein the service method further comprises checking whether the URL input by the portable terminal is a channel URL that is of a set of URLs of a plurality of web servers that provide contents of a predetermined subject; and gathering, when the URL is of the channel URLs, the contents of the predetermined subject transmitted by the web servers and binding the contents into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Art Unit: 2143

Regarding claim 21, Tso teaches the network service method of claim 20, further comprising: filtering information that is inappropriate or not necessary for the portable terminal, from among the contents provided by the web server (col. 16, lines 20-30).

Regarding claim 23, Tso teaches the network service method of claim 22, wherein in the performance of channeling, advertisement contents are inserted into the contents of a predetermined subject and then a channeling step is performed on them (col. 19, lines 58-59).

(Amended) Regarding claim 24, Tso teaches in a network service system, to which a portable terminal is connected via the network for receiving contents from a plurality of web servers that provide the contents, a network service system comprising:

a data server for receiving the contents from the web servers and processing the contents to convert them according to standards of the portable terminal, and transmitting the converted contents to the portable terminal via the network (abstract; figures 3 and 7; col. 2, line 49 to col. 3, line 12); and

Although Tso does not explicitly teach an advertisement server, connected to the data server via the network, for storing various advertisement contents, he teaches inserting advertisement into the contents (col. 19, lines 58-59). In order to do so, advertisement has to be inherently stored somewhere and is somehow connected to the web server.

Tso fails to explicitly teach gathering the contents of a predetermined subject provided by the web servers and binding them into a single channel. Peterson teaches channeling unit for gathering a plurality of contents of a predetermined subject provided by a plurality of web servers and binding them into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Regarding claim 25, Tso the system of claim 24, wherein the data server comprises: an image compressor for receiving the contents from the web servers, reducing sizes and number of colors of images of the contents and compressing the images according to standards of the portable terminal (abstract; figures 3 and 7; col. 2, line 49 to col. 3, line 12);

a filter for filtering information that is inappropriate or not necessary for the portable terminal from among the contents transmitted by the web server (col. 16, lines 20-30);

a user database for storing user data corresponding to user information input by the portable terminal (figure 7); and

a proxy unit for monitoring the data transmitted by the portable terminal or the web server, and calling and controlling the image compressor, the filter and the channel generator according to the data (figure 7).

Art Unit: 2143

However, Tso fails to teach a channel generator for gathering the contents of a predetermined subject provided by the web servers and binding them into a single channel. Peterson teaches a channel generator for gathering the contents of a predetermined subject provided by the web servers and binding them into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Regarding claim 26, Tso teaches the system of claim 25, wherein the proxy unit calls the image compressor when the contents transmitted by the web server include image information (figure 7).

Regarding claim 27, Tso fails to teach the system of claim 25, wherein the proxy unit checks whether a URL input by the portable terminal is a channel URL that is of a set of URLs of the web servers that provide the contents of a predetermined subject, and in the case the URL input by the portable terminal is a channel URL, the proxy unit calls the channel generator. Peterson teaches a proxy checking whether a URL input by the portable terminal is a channel URL that is of a set of URLs of the web servers that provide the contents of a predetermined subject, and in the case the URL input by the portable terminal is a channel URL, the proxy unit calls the channel generator (abstract; figures 7-9). At the time the invention was made, one of

Art Unit: 2143

ordinary skill in the art would have been motivated to call the channel generator when the URL input is a channel URL in order to allow user to access the desired content.

Regarding claim 28, Tso teaches the system of claim 25, wherein the channel generator inserts advertisement contents transmitted by the advertisement server into the contents of a predetermined subject provided by the web server and binds them (col. 19, lines 58-59).

Regarding claim 29, Tso teaches the system of claim 28, wherein the proxy unit extracts user data corresponding to user information input by the portable terminal from the user database and transmits the extracted user data to the advertisement server, and the advertisement server transmits the advertisement contents based on the extracted user data to the proxy unit (col. 19, lines 58-59).

Regarding claim 30, Tso the system of claim 29, wherein the user information includes ID and passwords, and the user data include at least one of user's general information, electronic commerce information and previously transmitted advertisement information (col. 13, lines 1-21).

Art Unit: 2143

Regarding claim 31, Tso teaches the system of claim 29, wherein the advertisement server is connected to the data server via an exclusive network (col. 19, lines 58-59).

Regarding claim 32, Tso teaches the system of claim 29, wherein the advertisement server connected to the data server via the network is a web server of an advertisement contents provider (col. 19, lines 58-59).

Regarding claim 33, Tso teaches the system of claim 29, wherein in the case the converted contents comprise a plurality of streams, the proxy unit controls timing of each transmission stream (col. 6, lines 28-59).

(Amended) Regarding claim 34, Tso teaches in a network service method of a network service system, to which a portable terminal is connected via the network for receiving contents from a plurality of web servers that provide the contents, a network service method comprising:

searching, when a uniform resource locator (URL) of a web server for providing the contents via the portable terminal and user information are input, a user database and extracting user data (col. 13, lines 1-21);

requesting the contents from the web server corresponding to an input URL, and transmitting the extracted user data to an advertisement server (col. 16, lines 20-30);

Art Unit: 2143

filtering information that is inappropriate or not necessary for the portable terminal from among the contents transmitted by the web server (col. 16, lines 20-30);

reducing sizes or number of colors of images of the contents or compressing the images according to standards of the portable terminal, and inserting advertisement contents corresponding to the user data transmitted by the advertisement server into the filtered contents to convert the contents (abstract; figures 3 and 7; col. 2, line 49 to col. 3, line 12); and

transmitting the converted contents to the portable terminal via the network (abstract).

However, Tso does not explicitly teach gathering the contents of a predetermined subject provided by the web servers and binding them into a single channel.

Peterson teaches channeling unit for gathering a plurality of contents of a predetermined subject provided by a plurality of web servers and binding them into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Regarding claim 35, Tso fails to teach the method of claim 34, further comprising: checking whether the URL input by the portable terminal is a channel URL that is of a set of URLs of a plurality of web servers that provide contents of a predetermined subject; and gathering the contents of a predetermined subject provided by the web server and binding the

Art Unit: 2143

same into a single channel. Peterson teaches checking whether the URL input by the portable terminal is a channel URL that is of a set of URLs of a plurality of web servers that provide contents of a predetermined subject, and gathering the contents of a predetermined subject provided by the web server and binding the same into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

(Amended) Regarding claim 36, Tso teaches in a portable terminal for receiving contents from a network web server, a portable terminal comprising:

a network interface for accessing the web server via the network (figures 1, 2, 4, 5 and 7);
and

a contents processor comprising a proxy unit for monitoring the contents transmitted by the web server, and for calling the contents processor to process the contents provided by the web server to fit its standards when the contents transmitted by the web server include image information (figure 7).

However, Tso fails to explicitly teach a channel generator for gathering a plurality of contents having a predetermined subject, provided by the web servers, and binding the contents into a single channel. Peterson teaches channeling unit for gathering a plurality of contents of a predetermined subject provided by a plurality of web servers and binding them into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would

Art Unit: 2143

have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

(Amended) Regarding claim 37, Tso teaches the terminal of claim 36, wherein the contents processor processes the contents provided by the web server to fit its standards by reducing sizes or number of colors of images (abstract; figures 3 and 7; col. 2, line 49 to col. 3, line 12).

Regarding claim 38, Tso teaches the terminal of claim 36, further comprising: a memory for storing the contents processed by the contents processor (figure 1); and a display for displaying the contents processed by the contents processor (figure 1).

(Amended) Regarding claim 42, Tso teaches in a user terminal connected via a network to a portable terminal and a plurality of web servers that provide contents, a user terminal comprising:

a network interface for accessing the web servers via the network and receiving corresponding contents (figure 3A);

Art Unit: 2143

an image compressor for receiving the contents from the web servers and reducing sizes and number of colors of images of the contents provided by the web servers (abstract; figures 1, 3A and 6B);

a controller for monitoring the contents transmitted by the web server, and when the contents transmitted by the web server include image information, calling the image compressor; and

a communication port for transmitting the contents processed by the controller to the portable terminal (abstract; figures 1, 3A and 6B).

However, Tso fails to explicitly teach wherein the controller further comprises a channeling unit for gathering a plurality of contents of a predetermined subject provided by a plurality of web servers and binding the contents into a single channel.

Peterson teaches channeling unit for gathering a plurality of contents of a predetermined subject provided by a plurality of web servers and binding them into a single channel (figure 5). At the time the invention was made, one of ordinary skill in the art would have been motivated to gather a plurality of contents and binding them into a single channel in order to organize the content according to user's preference, thus facilitating in searching and retrieving only wanted contents.

Regarding claim 43, Tso teaches the terminal of claim 42, wherein the controller further comprises a filter for filtering information that is inappropriate or not necessary for the portable terminal, from among the contents provided by the web servers (abstract; figures 1, 3A and 6B).

Response to Arguments

Applicant's arguments filed March 30, 2005 have been fully considered but they are not persuasive.

In response to Applicant's argument that neither Tso nor Peterson disclose or suggest "a channel generator for gathering a plurality of contents having a predetermined subject, provided by the web servers, and binding the content into a single channel," the Patent Office respectfully submits that this feature is indeed taught by Paterson in figures 1, col. 5, lines 51-53; col. 8, lines 43-54, col. 11, lines 48-50. In response to Applicant's argument that in Peterson, content is filtered at the client not at a server, the Office respectfully submits that it is well known in the art that a client can be a server and vice versa. Also, the recitation "a data server" has not been given patentable weight because the recitation occurs in the preamble. This argument also applies to claim 36, in which Applicant requests the Examiner to identify which element of Tso discloses "the portable terminal." A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2143

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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